

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Erin Stewart	Team: Team # 5	CCRB Case #: 200701269	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 01/25/2007 10:00 PM	Location of Incident: § 87(2)(b)	Precinct: 44	18 Mo. SOL 7/25/2008	EO SOL 7/25/2008	
Date/Time CV Reported Fri, 01/26/2007 12:37 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 01/26/2007 12:37 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. CPT Lorenzo Johnson	00000	894081	NARCBBX

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Perie Miranda	04367	924209	NARCBBX
2. POM Brian McLaughlin	04714	906795	NARCBBX
3. LT Christopher Fasano	00000	915693	NARCBBX
4. SGT Edward Wynne	01781	915029	NARCBBX
5. DT3 Edwin Gines	03600	911951	NARCBBX
6. DT3 Jose Peinan	02276	916410	NARCBBX
7. POM Juan Fernandez	29089	922335	NARCBBX

Officer(s)	Allegation	Investigator Recommendation
A.CPT Lorenzo Johnson	Abuse: Captain Lorenzo Johnson supervised the entry and search of § 87(2)(b), in the Bronx.	§ 87(2)(b)

### Synopsis

On January 25, 2007, at approximately 10:00 p.m., § 87(2)(b) heard a knock on the door of his apartment, located at § 87(2)(b) in the Bronx. A voice at the door stated, "Police," and knocked a second time. § 87(2)(b) called out that he would open the door, which he did soon after. Once § 87(2)(b) opened the door, he stepped to the side, as several officers entered the location, including Captain Lorenzo Johnson (**allegation A**). The officers then proceeded to search the apartment, which § 87(2)(b) shared with his girlfriend, § 87(2)(b) and their young son.

§ 87(2)(b) Officer Perie Miranda obtained a valid, no-knock search warrant for § 87(2)(b). The search warrant was issued by § 87(2)(b): Criminal Division. On January 25, 2007, officers entered and searched the location, and Captain Lorenzo Johnson supervised said entry and search, pursuant to the valid search warrant. § 87(2)(g)

### Summary of Complaint

§ 87(2)(b)

On January 31, 2007, § 87(2)(b) a § 87(2)(b) black male filed his complaint via the call processing system. § 87(2)(b)'s complaint, § 87(2)(b). § 87(2)(b) provided a sworn statement on February 2, 2007, for a Notice of Claim, which was filed with the New York City Office of the Comptroller (encls. 8a-8b). He also provided a telephone statement on February 13, 2007, and was interviewed at the CCRB on February 28, 2007 (encls. 9a-9b and 10a-10g).

On January 25, 2007, at approximately 10:00 p.m., § 87(2)(b) heard a knock on the door of his apartment, located at § 87(2)(b) in the Bronx. An officer at the door stated, "Police." § 87(2)(b) called out that he was coming, and the officers knocked a second time. When he opened the door, § 87(2)(b) stepped to the side, as three officers, one black male and two white males, entered the apartment. § 87(2)(b) stated the first officer that entered the apartment was holding a black police shield. He described the first officer as a black male with dreadlocks, approximately 5'7" tall, of a medium build, appearing in his mid to late 30's, and wearing a green "Car Hart" jacket, as well as a black, "Rastafarian" hat with a green, yellow, and red stripe in it. The second officer pulled § 87(2)(b) into the hallway and instructed him to get on the floor, which he did. § 87(2)(b) asked what was going on, as the second officer asked if there were any animals in the apartment. § 87(2)(b) stated his dog's barking was audible and he confirmed that there was a dog in the apartment, though it was tied up. The officers asked § 87(2)(b) if there was "anything in the apartment," meaning drugs, and § 87(2)(b) replied, "No." § 87(2)(b) admitted that he had four small bags of marijuana in his boot, though, so the second officer removed his boot and the marijuana. § 87(2)(b) could only describe the second officer as a white male, who was approximately 6'2" tall. At this time, § 87(2)(b) informed the officers that his four-year-old son was asleep inside the apartment.

The officers took § 87(2)(b) inside the bedroom and sat him on the bed next to his son. A third and fourth officer remained in the bedroom with § 87(2)(b) while the rest of the officers searched the apartment. § 87(2)(b) described the third officer as a Hispanic male with black hair and a black, "fuzzy" beard, approximately 5'5" to 5'6" tall, having a medium build, appearing in his mid to late 30's, and wearing an orange, hooded-sweater, and a bulletproof vest. § 87(2)(b) stated that an unidentified officer later told him that the third officer, identified through investigation as Officer Perie Miranda, was the officer responsible for his arrest processing. § 87(2)(b) described the fourth officer as a white male with grey hair, approximately 6'1" tall and having broad shoulders, appearing in his 40's, and wearing a dark sweater with a bulletproof vest. § 87(2)(b) later learned from § 87(2)(b) that the fourth officer identified himself as Captain Lorenzo Johnson. § 87(2)(b) noted that Captain Johnson wore a "gold badge around his neck without any numbers on it." Officer Miranda informed § 87(2)(b) that the officers had received reports that there were drugs and guns in § 87(2)(b)'s apartment. Officer Miranda also repeatedly asked § 87(2)(b) where the drugs and guns were located, but each time § 87(2)(b) denied that there were any. While § 87(2)(b) and Officer Miranda were speaking, § 87(2)(b) telephoned the home and § 87(2)(b) overheard an unidentified officer answer the line and say, "You better come and get your child, or we're gonna call ACS."

Shortly thereafter, § 87(2)(b) and § 87(2)(b)'s brother, § 87(2)(b) arrived at the apartment and were instructed to wait in the hallway. § 87(2)(b) stated he was unable to see the officers in the living room and hallway, as his view was obstructed by an open closet door in his bedroom. Even though he was unable to see the officers, § 87(2)(b) stated he overheard a discussion between § 87(2)(b) and an unidentified officer(s) in the hallway. § 87(2)(b) and § 87(2)(b) asked what was going on and an officer asked about the presence of drugs and guns in the apartment. § 87(2)(b) replied that there was nothing in the apartment, but the officer responded that he did not believe her. At this time, both § 87(2)(b) and § 87(2)(b) requested to see a search warrant. § 87(2)(b) also asked what the officers were doing to § 87(2)(b) and an officer replied, "Shut the fuck up." § 87(2)(b) noted that the officer and § 87(2)(b) "were having words." He explained that § 87(2)(b) and the officer were speaking to each other in raised tones of voice, although he stated he would not characterize their tones of voice as yelling at each other. Additionally, as § 87(2)(b) and § 87(2)(b) asked to see the search warrant, § 87(2)(b) overheard an officer say, "Oh, shut up, we could lock you up." § 87(2)(b) later learned from § 87(2)(b) that an unidentified officer provided her with a copy of an arrest warrant issued for him.

Approximately twenty minutes later, § 87(2)(b) was escorted out of the apartment, and as he passed § 87(2)(b) he told her to remove the money out of his pocket. The officer that was escorting him, identified through investigation as Detective Brian McLaughlin, stated she could not and that the money had to remain with § 87(2)(b). § 87(2)(b) described Detective McLaughlin as a baldheaded, white male, though with a little hair, approximately 6'1" tall, appearing "chubby," and wearing jeans, a blue sweater, and white shoes. § 87(2)(b) was transported to the 44<sup>th</sup> Precinct, after which, Detective McLaughlin counted the money, totaling \$1348.00 dollars, and although § 87(2)(b) requested a voucher, he stated he never received one. § 87(2)(b) stated, "They took my money and split my money up." § 87(2)(b)'s allegation that the officers "pocketed" his money was referred to IAB in § 87(2)(b). § 87(2)(b) stated he was arraigned on § 87(2)(b), § 87(2)(b) t.

§ 87(2)(b)

On January 26, 2007, § 87(2)(b) a § 87(2)(b), black female, filed her complaint with the CCRB via telephone, on behalf of her boyfriend, § 87(2)(b). § 87(2)(b) is § 87(2)(b). She provided a telephone statement on February 13, 2007, and was interviewed at the CCRB on February 28, 2007 (encls. 6 and 7a-7e).

On January 25, 2007, at approximately 10:00 p.m., § 87(2)(b) was on her way to the grocery store. She called § 87(2)(b) to see if he needed anything from the store, but he did not answer his cell phone. § 87(2)(b) then attempted to reach § 87(2)(b) at their home telephone number. An unidentified male answered the line and stated, "I advise you to get here if you don't want your son to be taken by ACS." § 87(2)(b) stated the male did not identify himself, but she knew he was a police officer. § 87(2)(b) hurried back to her apartment, located at § 87(2)(b) in the Bronx, with her brother-in-law, § 87(2)(b). When they arrived at the apartment, § 87(2)(b) asked the officers if she could take her son out of the apartment. The officers said she could not and instructed her and § 87(2)(b) to wait in the hallway. At approximately the same time, Captain Johnson, who provided his name to § 87(2)(b), asked her where the drugs were in the apartment. § 87(2)(b) described Captain Johnson as a white male with brownish hair, between 5'9" and 6'0" tall, having a muscular build, appearing in his 40's, and wearing a blue police jacket with letters on the back. § 87(2)(b) replied that the only drugs that were present at the location were any drugs that § 87(2)(b) had on his person. In response, Captain Johnson stated, "We'll have to search the apartment." § 87(2)(b) replied that the officers would have to do what they thought was necessary, but stated they would not find any drugs in the apartment. Within the same discussion, § 87(2)(b) stated she and § 87(2)(b) also asked Captain Johnson for the search warrant. In response, Captain Johnson gave a general instruction to the officers in the hallway, stating, "Make sure she gets a copy of it."

After some time, § 87(2)(b) was removed from the apartment, though the officers continued to search the apartment. After approximately one hour, an officer allowed § 87(2)(b) to enter the apartment in order to remove her son and some clothing to dress him. She dressed him in the hallway and remained in the hallway until the officers completed the search. As she waited, § 87(2)(b) asked an unidentified officer for a copy of the search warrant. She described this officer as a white male with black or dark brown hair, approximately 5'4" tall, of

average build, appearing in his late 30's or early 40's, and wearing a rust-colored or brownish sweatshirt. The officer stated she could, as he headed down the stairs. The officer returned approximately one-half hour later and provided § 87(2)(b) with a copy of an arrest warrant issued for § 87(2)(b) § 87(2)(b) stated the officers were at the location for approximately one and one-half hours.

### **Results of Investigation**

#### **Witness Statement**

§ 87(2)(b) § 87(2)(b)

§ 87(2)(b) provided a telephone statement on June 13, 2007 (encls. 11a-11b). § 87(2)(g)

On January 25, 2007, at approximately 10:00 p.m., § 87(2)(b) and § 87(2)(b) went to the apartment § 87(2)(b) shared with § 87(2)(b) located at § 87(2)(b) in the Bronx. Shortly before, § 87(2)(b) attempted to call § 87(2)(b) at their home, but an unidentified male officer answered the telephone and instructed § 87(2)(b) to return to the apartment to retrieve her son. When § 87(2)(b) and § 87(2)(b) arrived at the apartment, several officers were inside the apartment, as well as, in the hallway, and § 87(2)(b) was handcuffed in the bedroom. § 87(2)(b)'s friend, who § 87(2)(b) knew only as "§ 87(2)(b)" was also present when they arrived. § 87(2)(b) stated § 87(2)(b) had called § 87(2)(b) as identified through investigation, and asked that she retrieve her son, in the event that § 87(2)(b) did not return to her home before the officers left the location. The officers were searching the apartment and would not allow § 87(2)(b) or § 87(2)(b) to enter the apartment. § 87(2)(b) and § 87(2)(b) asked what the problem was and the officers said they had a search warrant to search the apartment.

§ 87(2)(b) stated he became very upset that the officers continued to search the apartment, but would not produce the search warrant. § 87(2)(b) believed the officers were procrastinating. He explained that he used a raised tone of voice while speaking with the officers, but stated he did not use any profanity. Additionally, § 87(2)(b) stated none of the officers used profanity while speaking with him. He noted that one officer did instruct him to "calm down" and said, "Take it easy; let's not make it worse than it is," in response to his behavior. § 87(2)(b) described this officer as a medium-complected Hispanic male with short, curly, black hair and a mustache, approximately 5'5" to 5'7" tall, having a husky build, appearing in his mid-30's, and wearing a black, "bubble" vest.

Later, § 87(2)(b) stated he and § 87(2)(b) obtained Captain Johnson's name when they requested it. § 87(2)(b) described Captain Johnson as a white male with short, black hair, between 6'0" and 6'2" tall, having a husky to muscular build, appearing in his late 30's to early 40's, and wearing a denim jacket with a grey hood attached to it, a green sweater, and light-colored blue jeans. After approximately 20-30 minutes, an officer allowed § 87(2)(b) to enter the apartment and retrieve her son. Another 10 to 15 minutes later, the officers allowed § 87(2)(b) to enter and retrieve the dog out of the apartment, in order to search the area where the dog had been tied up. § 87(2)(b) left the location and took the dog to his apartment, but returned to the incident location 15 to 20 minutes later. Eventually, an unidentified officer provided § 87(2)(b) with a copy of an arrest warrant issued for § 87(2)(b) though § 87(2)(b) did not believe that § 87(2)(b) ever saw a search warrant. § 87(2)(b) described this officer as a white male, approximately 6'0" tall, having a slim build, appearing in his late 20's to early 30's, and wearing a beat-up baseball cap and a green hooded-sweatshirt. § 87(2)(b) could not describe any other officers, but stated there were 8-10 officers, in total, present.

#### **Witness Statement Not Obtained**

§ 87(2)(b) stated § 87(2)(b)'s friend, "§ 87(2)(b)" identified through investigation as § 87(2)(b) was also present during the incident. Two "Please Call" letters were mailed to § 87(2)(b)'s mailing address, as provided by § 87(2)(b) in her CCRB statement, on October 19 and 30, 2007. § 87(2)(b) did not respond to either letter, neither of which was returned by the United States Postal Service.

### Officer Statements

#### **Captain Lorenzo Johnson, Narcotics Borough Bronx, Subject Officer**

Captain Lorenzo Johnson, a § 87(2)(b) -old white male, was interviewed at the CCRB on October 17, 2007 (encls.12a-12c).

On January 25, 2007, Captain Johnson acted as the Group Captain and was in charge of the Bronx Narcotics team executing a search warrant at § 87(2)(b) in the Bronx. Captain Johnson could not recall his exact tour and stated he did not keep any records from the incident date. Captain Johnson recalled that Lieutenant Christopher Fasano, Sergeant Edward Wynne, Officer Perie Miranda, and Detective Brian McLaughlin were also present at the incident location. Captain Johnson wore plainclothes and utilized an unmarked police vehicle, which was a rental vehicle of unknown make and model. Captain Johnson stated he has worked at NBBX for “a little over two years,” during which time he has overseen the execution of “over 300 search warrants.”

On January 25, 2007, at approximately 10:00 p.m., Captain Johnson stated he oversaw the execution of a search warrant at the location with a Narcotics Module (Team) from the 44<sup>th</sup> Precinct. Captain Johnson stated that a captain must be present for the execution of every search warrant, and added that there was a Tactical plan in regards to this search warrant, but he could not provide a copy of it. Captain Johnson stated he believed the search warrant requesting officer was Officer Miranda, § 87(2)(e), § 87(2)(f)

Thus, the officers elected to knock on the apartment door first, as opposed to ramming the door. Upon knocking, § 87(2)(b) as identified through investigation, opened the door and was informed that the officers had a search warrant for the location. Captain Johnson stated he was not part of the entry team, so he could not describe § 87(2)(b)'s behavior at the time of entry. He believed § 87(2)(b) was “pretty calm” and generally complied with the officers’ instructions. Captain Johnson did not know who handcuffed § 87(2)(b) or where he was handcuffed, but stated § 87(2)(b) was arrested and marijuana was recovered from the location. He could not recall where the contraband was found, as he did not personally search anything, nor if any was found on § 87(2)(b)'s person.

Upon entering the apartment, only § 87(2)(b) and the baby, who was sleeping and approximately two years old, were present. Captain Johnson did not know who entered the apartment first, nor could he recall which of the previously mentioned officers were actually inside the location. Captain Johnson also could not recall which rooms of the apartment he entered, but noted it was a very small, cluttered apartment, and that there were only a total of four or five officers inside the apartment. Captain Johnson also noted that there was a dog in the apartment. Captain Johnson did not recall any telephone calls coming into the apartment, nor did he ever learn that any officer had answered the telephone and spoke to § 87(2)(b) as identified through investigation. He never learned that any officer advised § 87(2)(b) to return to pick up her son if she didn’t want an ACS case. Captain Johnson did not recall discussing the potential need to call ACS with the civilians, but stated, “Any time somebody’s dealing drugs and there’s a child in there, we at least think about it.” He did not recall personally discussing ACS with § 87(2)(b)

Captain Johnson confirmed, though, that § 87(2)(b) did return to the apartment with § 87(2)(b) and another female. Captain Johnson described them as “irate,” but could not recall any specific comments they made or any specific behaviors that they displayed to give him this impression. He stated he spoke with them in order to calm them down. He stated it only took a few minutes to calm down the three civilians and that when he left he believed they were satisfied and understood the situation. Captain Johnson could not recall if any of the three requested to see a copy of the search warrant, but stated, in similar situations, “[People] usually do and it is our policy to show it to them.” Captain Johnson could not recall if he personally had a copy of the search warrant, though he noted, when conducting a search warrant there are usually several copies and the arresting officer generally has a copy. Additionally, Captain Johnson did not recall whether or not the officers had a copy of an arrest warrant for § 87(2)(b)

Captain Johnson could not recall the specifics of what he discussed with § 87(2)(b) and the second female, but did recall that § 87(2)(b) mentioned that one of his family members was a police officer

and he tried to get in contact with this individual. § 87(2)(b) did not actually get a hold of this family member, but did get in touch with someone whom they both knew and Captain Johnson explained the situation. Captain Johnson did not recall if any other officers were present during this conversation, nor did he recall discussing whether § 87(2)(b) or § 87(2)(b) could be arrested. He stated that he did not believe they could have been arrested, based on his recollection of their overall behavior. He denied hearing any officer threaten to arrest § 87(2)(b) or § 87(2)(b). Captain Johnson did not recall the civilians using any profanity during their conversation, and did not know whether they spoke with any other officers before or after speaking with him. He denied ever hearing any officer use profanity and denied the specific discourteous comment alleged by § 87(2)(b). Captain Johnson stated he was present at the location for approximately 15 to 30 minutes, and noted that he left the location before the members of the team left the location. He did not know which officers remained at the location.

#### **Detective Brian McLaughlin, Narcotics Borough Bronx, Witness Officer**

Detective Brian McLaughlin, a § 87(2)(b)-old white male, was interviewed at the CCRB on September 27, 2007 (encls. 13a-13b).

On January 25, 2007, Detective McLaughlin worked from 3:27 p.m. to 12:00 midnight with Officer Juan Fernandez. On the incident date, Detective McLaughlin's rank was Police Officer. At approximately 10:00 p.m., he executed a search warrant at § 87(2)(b) in the Bronx with the Bronx Narcotics field team, including, Captain Lorenzo Johnson, Lieutenant Christopher Fasano, Detective Edwin Gines, Detective Jose Peinan, Sergeant Edward Wynne, Officer Perie Miranda, and Officer Juan Fernandez. Detective McLaughlin was dressed in plainclothes, but could not recall what he was wearing. Detective McLaughlin did not bring his memobook entries with him to the interview, but stated the only entries he made on the incident date were executing a search warrant at the incident location and end of tour. Detective McLaughlin was assigned to the "Ram" during the execution of the search warrant. An officer assigned to the "Ram" wields a battering ram and is responsible for utilizing the ram to forcibly enter the apartment, if necessary. Detective McLaughlin noted that during the Tactical Plan meeting, Captain Johnson and Lieutenant Fasano advised the team that there may be children inside the apartment. Thus, the team was instructed to attempt to gain entry into the apartment by knocking first, so not to scare or injure the children.

At approximately 10:00 p.m., the field team arrived at the location and knocked on the door. § 87(2)(b) opened the door and followed the officers' instructions to exit the apartment into the hallway. Detective McLaughlin stated § 87(2)(b) was compliant and followed the instructions he was given. Detective McLaughlin stated § 87(2)(b) was handcuffed in the hallway, though he did not recall who handcuffed him. Detective McLaughlin never entered the apartment, though he believed Captain Johnson, Lieutenant Fasano, Sergeant Wynne, and Officer Miranda conducted the search of the apartment. As there was no need for the ram, Detective McLaughlin removed the ram to the team's police vehicles, and then returned to retrieve other equipment. He again returned to the police vehicles and remained in the prisoner van until Officer Miranda, the arresting officer, contacted him to return inside the building in order to transport § 87(2)(b) to the precinct. He transported § 87(2)(b) to the 44<sup>th</sup> Precinct. He noted that Officer Miranda was responsible for all of the arrest processing and paperwork, though there was a discrepancy, in that Detective McLaughlin had been listed as the arresting officer on some of the arrest paperwork. Detective McLaughlin stated approximately 15-20 minutes passed between the initial entry into the apartment and when he returned to escort § 87(2)(b) to the prisoner van.

Detective McLaughlin recalled that a § 87(2)(b)-old child was in the apartment, and believed a second child may also have been inside the apartment. Detective McLaughlin stated § 87(2)(b)'s girlfriend or sister, identified as § 87(2)(b) via investigation, arrived at the location to take the child out of the apartment, but stated he never learned how she was notified that she needed to retrieve the child. Detective McLaughlin did not recall any other male civilians being present at the location, nor did he ever overhear or learn that any officer had told § 87(2)(b) or § 87(2)(b) "Oh shut up. We could lock you up." Detective McLaughlin stated Officer Miranda was the requesting officer for the search warrant, on which § 87(2)(b) was listed as the subject. Additionally, he stated the team only had a search warrant, not an arrest warrant. Detective McLaughlin never spoke with § 87(2)(b) and never learned whether or not she requested to see a copy of the search warrant. Also, Detective McLaughlin stated he never learned of any officer using any profanity while speaking with § 87(2)(b) and reiterated that he never saw § 87(2)(b).

Officers Not Interviewed

**Lieutenant Christopher Fasano, Narcotics Borough Bronx, Witness Officer**  
**Sergeant Edward Wynne, Narcotics Borough Bronx, Witness Officer**  
**Detective Edwin Gines, Narcotics Borough Bronx, Witness Officer**  
**Detective Jose Peinan, Narcotics Borough Bronx, Witness Officer**  
**Officer Perie Miranda, Narcotics Borough Bronx, Witness Officer**  
**Officer Juan Fernandez, Narcotics Borough Bronx, Witness Officer**

A statement was not obtained from Officer Miranda, as he resigned from the NYPD on July 23, 2007, which was confirmed by the Monitoring Analysis Section on February 12, 2008. § 87(2)(g)

Police Documentation (encls. 15, 16, 17, and 19a-19b)

Search Warrant: Search warrant number § 87(2)(b)

§ 87(2)(b) for the search of § 87(2)(b) in the Bronx. The warrant was issued as a “no-knock” warrant and the scope of the search included evidence demonstrating the illegal possession and sale of marijuana and other drug paraphernalia, as well as evidence establishing ownership of the premises and connecting persons found therein to the premises, such as personal papers.

Command Log: The 44<sup>th</sup> Precinct Command Log entries for January 25, 2007, confirm that § 87(2)(b) was arrested by Officer Perie Miranda of the Narcotics Borough Bronx command.

Roll Call: The January 25, 2007, Finalized Roll Call for the 44<sup>th</sup> Precinct Module of the Narcotics Borough Bronx confirms that Sergeant Edward Wynne, Detective Jose Peinan, Officer Brian McLaughlin, and Officer Perie Miranda were executing a search warrant, though the search warrant location is not noted.

Property Vouchers: Property voucher numbers § 87(2)(b) confirm that § 87(2)(b) s property was vouchered as arrest evidence. Voucher number § 87(2)(b) itemizes the illegal drugs and drug paraphernalia found on § 87(2)(b) s person, while voucher number § 87(2)(b) itemizes the U.S. currency, totaling \$1348.00 dollars, in § 87(2)(b) s possession at the time of his arrest.

Officer and Complainant CCRB Histories (encls. 1, 2, and 3)

Captain Lorenzo Johnson has 19 years of service with the NYPD and his CCRB history includes one substantiated allegation. In CCRB case number 200615435, the Board substantiated a premises entered and/or searched allegation and recommended charges, though a penalty has not been implemented, yet. § 87(2)(b) and § 87(2)(b) s CCRB histories only include the current complaint, § 87(2)(b)

Complainant Criminal Conviction History (encls. 22 and 24a-24y)

[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Notice of Claim (encls. 28b-28f)

On § 87(2)(b), § 87(2)(b) filed a Notice of Claim against the City of New York. § 87(2)(b)'s claim did not specify a set amount of damages sought by the claimant, though the claim noted that § 87(2)(b) sought to recover money for both compensatory and punitive damages. On February 1, 2008, § 87(2)(b)'s § 87(2)(b) informed the undersigned that he and § 87(2)(b) did not pursue the claim, and thus, a 50-H Hearing was never held in regards to the claim. On the same date, § 87(2)(b) agreed to provide written confirmation that a 50-H Hearing had not been held, which will be included in the case file upon its receipt.

### Conclusions and Recommendations

#### Officer Identification

Captain Lorenzo Johnson acknowledged both his presence at the incident location during the execution of the search warrant, as well as overseeing the execution of the search warrant. Additionally, § 87(2)(b) and § 87(2)(b) identified Captain Johnson by name, which he provided during the incident. Furthermore, § 87(2)(b) and § 87(2)(b) all provided similar physical descriptions of Captain Johnson to that provided by Captain Johnson in his own pedigree information.

#### Allegations Not Plead

§ 87(2)(g)

#### Assessment of Evidence

**Allegation A – Abuse of Authority: Captain Lorenzo Johnson supervised the entry and search of § 87(2)(b) in the Bronx.**

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: